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Delhi High Court

Laxman Singh vs Jawaharlal Nehru University & Others on 14 July, 2008

 Author: [Ajit Prakash Shah](#)

 Bench: [Chief Justice, S.Muralidhar](#)

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* HIGH COURT OF DELHI AT NEW DELHI

+ LPA No.268/2008

 LAXMAN SINGH Appellant
 Through: Mr.Atulesh kumar, Advocate
 Versus

 JAWAHARLAL NEHRU UNIVERSITY
 & OTHERS Respondents
 Through Mr.S.C. Dhanda, Advocate for JNU

 CORAM:
 HON'BLE THE CHIEF JUSTICE
 HON'BLE DR. JUSTICE S.MURALIDHAR

1. Whether reporters of the local papers be allowed to see the judgment ? No
2. To be referred to the Reporter or not ? No
3. Whether the judgment should be reported in the Digest ? No

JUDGMENT

% 14.07.2008

1. We have heard the learned counsel appearing for the appellant as well as the counsel for Jawaharlal Nehru University (JNU).

2. The appellant was a student of the School of Arts, JNU and has completed his MA in Arts and Aesthetics from JNU. He appeared in the entrance examination conducted by the JNU for admission in the MPhil (Arts & Aesthetics) course for the academic year 2006-07 in the reserved category of Scheduled Castes. The appellant was not selected. His main grievance is that out of the total 21 students selected for the MPhil (Arts & Aesthetics) Course, four students were not eligible as they had not studied arts and aesthetics as their subjects in their MA curriculum. The appellant contended that the eligibility criteria for MPhil (Arts & Aesthetics) is 'a Masters Degree in any branch of Arts and Aesthetics' and 'any branch' would mean Masters in Music, Dance, Theatre, Architecture, Sculpture, Painting etc. It is stated that the four candidates who have been selected had not done Masters course in any branch in Arts and Aesthetics but have studied some other subjects like History, Sanskrit etc.

3. On behalf of JNU it has been pointed out that they are the only institution in India conducting the Masters course in Arts and Aesthetics and no other institution in India has a similar course. It has been pointed out that JNU is a Central University running specialized courses which are not normally taught in other universities and its courses are designed to cater to students from not only all over India but also abroad. The courses in Arts and Aesthetics are such courses which have been designed with a wide perspective and have nothing to do with the performing arts. It is pointed out by the respondent that if the eligibility for undertaking the course of MPhil in Arts and Aesthetics was restricted only to students who had pursued only Arts and Aesthetics in the Masters programme, it would mean that admissions to the MPhil programme would be restricted only to students of JNU which would be opposite to the basic object of the University. It is further explained that the course of Arts and Aesthetics is not restricted to teachings about the performing or visual arts alone but is related to the study of history of arts,

anthropology, media and other allied cultural studies. The students coming different streams of arts including history, anthropology, media and other allied cultural studies would be equally well equipped to undertake the course.

4. The stand of JNU has been accepted by the learned single Judge. We find no reason to take a different view than that taken by the learned single Judge. As per the brochure, a candidate is required to possess a Masters Degree in any branch of Arts and Aesthetics with at least 50% marks. The expression 'masters degree in any branch of Arts and Aesthetics' clearly indicates the intendment of the eligibility condition and that the eligibility was not restricted to candidates who possessed a masters degree only in arts and aesthetics. Therefore, we find no infirmity in the order passed by the learned single Judge. The appeal has no merit and is accordingly dismissed.

CHIEF JUSTICE

S.MURALIDHAR
(JUDGE)

JULY 14, 2008

'v'